

Durham Planning Commission Written Comments

November 13, 2012

2125 Guess Road Case Z1200006

Ms. Board – Approval recommended provided the following committed elements are added:

1. Lower the impervious surface to greatly limit allowable parking
2. Limit uses to exclude nightclubs, gas stations, bars, etc. which have been identified as offensive to the neighborhood.
3. Add a fence behind the property in addition to the buffer to block pedestrian access from residential to commercial. (if not already required by intense buffer 25% reduction.)

With the development plan, the protest petition problems should be solvable.

Mr. Davis – I vote approval of Z1200006 please consider reduction of impervious surface in order to reduce the concerns of extreme commercial uses. Also, an additional buffer of a fence would also reduce site/noise issues from neighbors.

Mr. Gibbs – Vote to approve application with adequate tree/plant buffering.

Mr. Harris – Voted no.

Mr. Martin – No, Due to neighborhood opposition.

Mr. Monds – I voted against this proposal.

Mr. Smudski – Applicant made assurances that use restrictions will be presented. The applicant needs to move this forward. Recommend approval with buffer and use restrictions.

Mr. Whitley – I vote to not approve.

Ms. Winders – I opposed the requested Guess road rezoning because the proposed development plan does not provide adequate protection for the residential properties on Sunset. The present Office/institutional zoning of 2125 (and also the adjacent 2121 office property) provides a buffer between the commercial node at the intersection of Broad and Guess Rd and the strong, stable neighborhood around Sunset, Pennsylvania, and Delaware. If market conditions create opportunities in the future, the entire 2100/2200 block south west of Guess Rd could be redeveloped as office or higher density housing, mirroring the development pattern on the Broad Street side of the neighborhood. The Ellerbe Creek and its flood plain provide a good natural boundary for the neighborhood, separating it from the highway oriented development near the I-85 interchange.

Vacant property creates problems for both landlord and neighbors. The proposed “development plan” may help to solve the vacancy problem, provided that very specific use restrictions are added to the committed elements. However, this approach has at least two disadvantages. First, though it may satisfy the letter of the UDO dimensional requirements, it violates the spirit of ensuring the quality of

life for residents, since there will be no buffer between the residential part of the plan area and the commercial part. Second, this plan is really a plan for no development and would create somewhat of a commercial “island” in an area where office use would be preferred, in my opinion (existing future land use map notwithstanding). This CN(D) and RU-5(D) rezoning would probably result in additional expense for a future owner who might want to upgrade the property in a different way.

The owner (and possibly the neighbors) should contact the Office of Economic and Workforce Development to discuss ideas for marketing the property and to see if any helpful incentives are available.